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08/252,984 06/07/94 MELCHIAN

EXAMINER

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ART UNIT

PAPER NUMBER

24

2601
DATE MAILED:

06/10/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- Notice of References Cited by Examiner, PTO-892.
- Notice of Draftsman's Patent Drawing Review, PTO-948.
- Notice of Art Cited by Applicant, PTO-1449.
- Notice of Informal Patent Application, PTO-152.
- Information on How to Effect Drawing Changes, PTO-1474.
- _____

Part II SUMMARY OF ACTION

Claims 1 and 18 - 27 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

Claims _____ have been cancelled.

Claims _____ are allowed.

Claims 1 and 18 - 27 are rejected.

Claims _____ are objected to.

Claims _____ are subject to restriction or election requirement.

This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

Formal drawings are required in response to this Office action.

The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).

The proposed drawing correction, filed 3/31/94, has been approved; disapproved (see explanation).

Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.

Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

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Part III DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

1. Claims 18 - 27 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 18, it is not clear as to how the subscriber interacts with the system. The claims refers to "receiving an incoming ... as a part of an incoming call attempt", is this call attempt made by the subscriber? Is the subscriber connected to the telephone exchange? If the incoming call attempt is from the subscriber, what happens next? Does the subscriber, for example, hang up at specific time or under specific condition during the incoming call attempt? Does the control means call the subscriber remote telephone number while the incoming call attempt is still in progress? In other words, since the incoming call attempt is received via the first telephone connection means and the subscriber remote telephone number is called via the same first telephone connection means, it is not clear as how this is carried out. Is the incoming call attempt terminated first before the first telephone connection means is used to call the

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subscriber remote telephone number? The "caller response unit" is considered a dangling component because it is not clear what the function(s) of this component is.

In claim 19, "the predetermined period of time" lacks antecedent basis.

Claim 23 has defects parallel to those discussed above for claim 18.

Claim Rejections - 35 USC § 103

2. Claims 1 and 18-27, as best understood, are rejected under 35 U.S.C. § 103 as being unpatentable over the IDT machine disclosed Business Week articles and admitted by applicant as **Prior Art**.

The article entitled "Rome to Bonn via New Jersey" (April 13, 1992) shows that a subscriber can call the IDT machine in the U.S. from a foreign country, hang up and wait for the IDT machine to call him/her back so that the subscriber can make outgoing calls utilizing the IDT machine. The article entitled "How Overseas Caller Can get Stateside Rates" (Dec. 2, 1991) shows that an overseas subscriber can call the IDT machine in the U.S. and hang up before it answers. Then the IDT machine calls back

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the subscriber and provides him/her with a second line to make outgoing calls.

In the specification (pages 3-4), applicant admits that in the above **Prior Art** system "an input line is dedicated to a particular user. That is for each subscribing user there is a unique dedicated input line. When the user calls into the system on that line, typically allowing it to ring once, the system employed an autodialer configuration to call the user who responds by entering the desired number. The system dials that number on another line then bridges the user with it upon response by the called party."

The above Prior Art IDT system is not shown to use a caller response unit and it is not shown to indicate an invalid call under certain circumstances.

The use of caller response unit would be extremely obvious (if not inherent) to prompt the user to enter the desired destination number after the call back. One would not expect the system to call back the subscriber and then remain silent. The system must prompt the subscriber to, at least, enter the desired destination.

While specific components of the above system such as the claimed "control means", the use of such components would be obvious (if not inherent).

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As for announcing an invalid call attempt, in the above system each subscriber has a unique dedicated input line and the subscriber must hang up after one ring, if for example the calling party does not hang up after one ring (the call does not meet the requirement), this of course would be considered an invalid call attempt and the designer of the system can choose how to handle such invalid calls, for example, the designer can choose to provide an announcement to the calling party.

3.. Claims 1 and 18-27 are rejected under 35 U.S.C. § 103 as being unpatentable over **Kahn et al** (U.S. Patent 4,086,438) in view of **Billinger et al** (US Patent 4,769,834) and further in view of **Srinivasan** (US Patent 5,185,782).

As shown in the previous Office actions, **Kahn et al** discloses an automatic interconnection system 30 for answering incoming calls and connecting the incoming call to an outgoing line for making an outgoing call. The calling party has to provide a security code which will be compared with stored codes by security code circuit 200. If a valid security code is entered by the calling party, the system will provide the calling party by a dial tone so that the calling party can make outgoing (local/long distance) calls.

The reference teaches that the calling party can call the system, dial his/her number and then hang up. In this case the

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system will initiate a call-back to the calling party after which a dial tone will be provided to that party to make outgoing calls using the system.

The reference differs from the claims in that in the reference the call is answered while in the claimed invention the call is not answered. While verifying the identity of the calling party, the reference (filed March 1977) utilizes security codes provided by the calling party. However, the claimed invention utilizes information provided by the exchange to identify the originating station (such as DID and ANI).

Billinger et al explicitly teaches the use of ANI to eliminate the need for the customer to dial an authorization code. Using ANI instead of authorization call means that the calling party can be identified without answering the call.

Utilizing the ANI provides advantages such as speed and accuracy because having the calling party manually dial his/her telephone number may cause delay and sometimes the calling party may make a mistake while dialing the number. In general, providing the number automatically is preferred over providing the number manually. Further, the calling party can be identified without having the calling party pay for the call.

Thus, while updating the **Kahn et al** system to meet the current technological standards as disclosed in **Billinger et al**, it would have been obvious to utilize the ANI to automatically

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identify the originating station. Numerous references teach the use of ANI and DID/DNIS which are provided by the telephone company in order to provide the desired services to the calling parties.

ANI (Automatic number identification) informs the system of the calling party telephone number. DNIS (dialed number identification service) and DID (direct inward dialing) provide the system with the called number that was dialed by the calling party. *Numerous references*, such as the **Srinivasan** reference, teach the use of the well known ANI and DNIS/DID in telecommunication services (see references cited below).

In view of the above, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the DID/DNIS or the DID/DNIS & the ANI together (note that the invention as claimed and disclosed is not limited to using DID) in order to identify the calling party and decide how to handle the call. According to the articles, the system is to be used for international calls which means that foreign countries may not provide the ANI to the U.S. networks, thus, one of ordinary skill in the art would prefer to depend on the number dialed by the calling party (DID/DNIS) in order to identify the calling party in the **Kahn** system.

As for announcing an invalid call attempt, in the above system each subscriber has a unique DID number, if for example

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the a calling party dials an unassigned DID number, this of course would be considered an invalid call attempt and the designer of the system can choose how to handle such invalid calls, for example, the designer can choose to provide an announcement to the calling party.

Response to Amendment

4. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Since the current application contains new claims, an interview prior to examination was not needed. Examiner called applicant and notified him that his position regarding the use of the DID is clear from previous discussion and from the new claims and therefore no interview was deemed necessary.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inbound/Outbound Magazine (October 1989 and May 1990) teach the use od ANI and DNIS/DID in telecommunication systems.

Richardson, Jr. et al (US Patent 5,317,627) teaches the use of DNIS tables in order to provide various application after comparing the incoming DNIS number with prestored DNIS numbers.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Matar whose telephone number is (703) 305-4731.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700. The Group's new FAX number is (703)-305-9508. This FAX number is to be used only for Group 260 papers.

Ahmad F. Matar
Ahmad F. Matar
Patent Examiner
Group Art Unit 2601

August 08, 1994

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